

August 20, 2009

Present: Brad Sedito, Polly Roberts, Randolph Snook, Todd Catlin,

Alternates: Georgia Middlebrook, Roderick Wyant III

Absent: Katharine Leab, Peter Bowman Alt

Staff: Mike Ajello ZEO, Shelley White

Others: Bob Papsin, Ann & Friso Hermans, David Dillon, Karen & Stanley Perrone, Rob Parker

Chairman, Brad Sedito called the meeting to order at 7:30.

PUBLIC HEARING

Seated: Brad Sedito, Todd Catlin, Randy Snook, Polly Roberts, Rod Wyant, Alt.

ZBA-0854 - Request of Perrone, Stanley & Karen, 46 East Shore Road, for Special Exception, Zoning Regulation(s) 17.4.a (increasing non conformity) to add dormers.

Mr. Sedito read the call and stated that the correct Zoning Regulation that is requiring a Special Exception is section 17.5. Ms. White stated that the Land Use Office received 6 out of 7 return receipt post cards. Mr. & Mrs. Perrone were present to represent this application. Mr. Perrone explained the presented Existing & Proposed Front Elevation drawings, dated 6/29/09, for Stanley and Karen Perrone, by Stanley Perrone. Mr. Perrone confirmed that there would not be a change in the footprint and that the ridge would not be changed. Mr. Snook stated that he had driven by the property and noticed it was under construction. Mr. Perrone confirmed that the siding in being replace and some water damage is being fixed. Mrs. Perrone distributed photos of the existing dwelling. Mr. Perrone stated the room will continue to be used as a bedroom and the dormers will allow more sunlight and head room. There were no questions or comments from the public

Motion:

to close the public hearing for ZBA-0854 – Request of Perrone, Stanley & Karen, 46 East Shore Road, for Special Exception, Zoning Regulation(s) 17.5 (increasing non conformity) to add dormers, by Ms. Roberts, seconded by Mr. Wyant, by 5-0 vote.

MEETING

Mr. Snook stated that this application was straightforward and modest in scope. He thanked the applicant for the existing and proposed drawings of the project and stated he was in favor of this application. Mr. Wyant stated that the plans were well prepared and that he was in favor of this application. Mr. Catlin read the Zoning Regulation, Section 17.5.2.c #1 and stated that this proposed plan is modest in scope and supports the continued use of the dwelling. Mr. Catlin stated that the proposed plan meets all the requirements of Zoning Regulation Section 13.1.b and that he is in favor of this application. Ms Roberts and Mr. Sedito agreed with Mr. Catlin.

Motion:

to approve application ZBA-0854 – Request of Perrone, Stanley & Karen, 46 East Shore Road, for Special Exception, Zoning Regulation(s) 17.5 (increasing non conformity) to add dormers, by 5-0 vote.

PUBLIC HEARING

Seated: Brad Sedito, Todd Catlin, Randy Snook, Polly Roberts, Georgia Middlebrook, Alt.

ZBA-0855 – Request of Papsin, Bob & Sandy, 30 Mygatt Road, for a Variance, Zoning Regulations 12.1.1 (wetlands/watercourse setback), to construct an addition.

Ms. White stated that the Land Use Office had received all 4 return receipt post cards. Mr. Papsin was present to represent this application. Mr. Papsin stated would be constructing an 18'x 24' addition on the back of his house and they would like to replace the deck with a mudroom on the side of the house. He stated that the Inland Wetlands Commission approved his proposed plan. Mr. Papsin showed the location of the intermittent stream on the property survey for 30 Mygatt Road. He stated the proposed bottom step would encroach the 50 ft. wetlands watercourse setback by 10 ft. The commissioners examined the Proposed First Floor Plan, Drawing Number SK2.1, dated 5/8/09 by H& R Design Facilities Planners. They calculated the measurement from the proposed bottom step to the intermittent stream. Mr. Papsin explained that the mudroom could not be located elsewhere on the property because of the location of the pool, septic and well. There were no questions or comments from the public.

Motion:

to close the public hearing for ZBA-0855 – Request of Papsin, Bob & Sandy, 30 Mygatt Road, for a Variance, Zoning Regulations 12.1.1 (wetlands/watercourse setback), to construct an addition, by Mr. Catlin, seconded by Ms. Roberts, by 5-0 vote.

MEETING

Mr. Catlin stated that the proposed plan is a modest request and that he has no objections since the Inland Wetlands Commission approved it. Ms. Middlebrook stated she agreed with Mr. Catlin. Ms. Roberts stated this would be the best location for the mudroom entrance. Mr. Snook stated he wished the mudroom entrance way would face the road, but he was still in favor of approving this application. Mr. Sedito stated that he agreed with the other commissioners. He stated there would be a 14' 6.5" x 10' encroachment into the wetlands and this seems to be the best location for the mudroom. He stated that there is a land-based hardship based on the proximity of the wetlands.

Motion:

to approve application ZBA-0855 – Request of Papsin, Bob & Sandy, 30 Mygatt Road, for a Variance, Zoning Regulations 12.1.1 (wetlands/watercourse setback), to construct an addition that will encroach 10 ft. into the required 50 ft. wetlands/watercourse setback, by 5-0 vote.

PUBLIC HEARING

Seated: Brad Sedito, Todd Catlin, Randy Snook, Polly Roberts, Rod Wyant, Alt.

ZBA-0856 - Request of Dillon, Dave (representing Hermans, Friso & Ann), 14 Hinkley Road, for Special Exception, Zoning Regulations 17.4.a (increasing non conformity).

Mr. Dillon Mr. & Mrs. Hermans were present to represent this application. Mr. Sedito read the call and stated that the correct Zoning Regulation that is requiring a Special Exception is section 17.5. Ms. White confirmed that 9 out of 10 return receipt postcards were received by the Land Use Office. Mr. Dillon explained that there is currently an entrance with a gabled roof with pillars over a concrete slab. The Hermans are proposing to close this 3'x 6' area in because the door opens directly in front of the staircase with about 3 feet of space and minimal area to stand. Mr. Dillon stated the proposed plan is to enclose the existing entrance within the existing footprint and replace the roofing materials. There were no questions

or comments from the public.

Motion:

to close the public hearing for application ZBA-0856 – Request of Dillon, Dave (representing Hermans, Ann & Friso), 14 Hinkley Road, for Special Exception, Zoning Regulations 17.5 (increasing non conformity),

by Ms. Roberts, seconded by Mr. Snook, by 5-0 vote.

MEETING

Mr. Snook stated that the proposed modifications met the requirements for Zoning Regulation Section 17.5 and stated he was in favor of approving this application. Mr. Wyant agreed with Mr. Snook and stated he was also in favor. Mr. Catlin agreed as well and stated that all the general standards in Section 13.1.b, 1-8 seem to have been met. Ms. Roberts and Mr. Sedito agreed with Mr. Catlin. Mr. Sedito stated the proposed plan meets the definition of a Special Exception, that it supports the continued use of a family residence and it is reasonable in scope.

Motion:

to approve application ZBA-0856 – Request of Dillon, Dave (representing Hermans, Ann & Friso), 14 Hinkley Road, for Special Exception, Zoning Regulations 17.5 (increasing non conformity), by 5-0 vote

CONSIDERATION OF THE MINUTES Motion:

to approve the minutes of the July 16, 2009, meeting of the Washington Zoning Board of Appeals as submitted,

by Ms. Roberts, seconded by Mr. Snook, by 5-0 vote

OTHER BUSINESS/DISCRETION OF THE CHAIR

There was a lengthy discussion regarding how the Zoning Commission and Zoning Board of Appeals could improve communication between the two commissions.

Mr. Sedito approved payment for legal fees from Atty. Mike Zizka.

ADJOURNMENT

Motion:

to adjourn at 8:45 pm by a 5-0 vote.

Submitted subject to approval,

Shelley White

Land Use Clerk